

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kramer

EXAMINER: Hamdan

SERIAL NO.: 09/411,730

GROUP ART UNIT:

FILED: 10/01/1999

FOR: Diagnostic Remote Control For Electrical Components On Vehicle

ATTY DOCKET NO.: 60,130-569

Assistant Commissioner of Patents & Trademarks
Washington, D.C. 20231**REPLY BRIEF**

Dear Sir:

This is in reply to the Examiner's Answer mailed 29 April 2002.

The Examiner's Answer raises several points that will be addressed in this concise Reply Brief.

Structure of Brief

At paragraph 2, the Examiner states that the Appeal Brief does not contain a statement identifying related appeals and interferences. In fact, in the middle of page 2 of the Appeal Brief is a statement that there are no related appeals or interferences. Appellant again restates that there are no related appeals and interferences.

Arguments Regarding the Rejection of Claim 15

At page 8, section 11, the Examiner argues that claim 15 is met by Doyle, et al. since Doyle, et al. does send a signal to actuate a plurality of vehicle components, and Doyle, et al. does disclose diagnostic information. The Examiner points to sections at the Doyle, et al. reference at columns 1 and 2 which merely restate the two separate functions. The Doyle, et al. remote keyless entry system can actuate the door locks. This the Examiner equates to the "vehicle components". However, this is the standard locking/unlocking. There is no "diagnostic" function to this unlocking/locking. Secondly, while Doyle, et al. transmits information that is diagnostic, but has nothing whatsoever to do with the vehicle doors. That is, the

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diagnostic information does not relate to the "vehicle components". Instead, the diagnostic information relates to the remote keyless entry unit itself. As such, Doyle, et al. cannot meet claim 15. If the Board agrees with this point, then all other rejections fall also.

Arguments Regarding Claim 16

In subparagraph 4 of section 11, the Examiner argues that there would be a suggestion to combine Doyle, et al. with the Ostermann, et al. or Wallace patents. The Examiner's suggestion is apparently that the three are "all related to actuating a component on a vehicle". Of course, this is not a proper suggestion to combine. The fact that all three may be arguably analogous art does not mean there will be a suggestion to recombine them in anyway the Examiner may propose. The Examiner argues that the combination would be suggested "for the purpose of performing diagnostics on the vehicle". However, Doyle, et al. performed those diagnostics on the vehicle, as such there is no true suggestion.

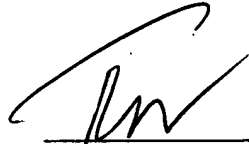
Arguments Regarding Claim 19

With regard to Claim 19 and Claim 21, the Examiner argues that the combination of Doyle, et al. and Traub would be suggested, apparently continuing to rely upon the misreading of Doyle, et al. as Doyle, et al. being a diagnostic device. There is nothing in Doyle, et al. that would suggest actuating any component on a vehicle for diagnostic purposes. Certainly there would be no reason to add the actuation of a brake light based upon anything taught in Doyle, et al. Notably, in Appellant's brief, the section on Claim 21 refers in its heading to Claim 21, but internally refers to Claim 19. The reasons for allowing Claim 19 and 21, in addition to the reasons supporting the allowability of their parent claims are generally the same. Thus, this typographical error should not affect the Board's consideration of the original Brief.

CLOSING

For the reasons set forth above, the rejection of all claims is improper. The Board is now asked to reverse these rejections.

Respectfully submitted,

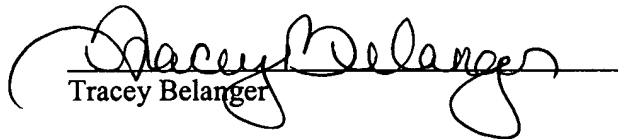


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CERTIFICATE OF MAILING

I hereby certify that the enclosed Reply Brief is being deposited in triplicate with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to Box AF, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 25th day of June 2002.


Tracey Belanger